

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

RALPH EDWIN WATSON,

Petitioner,

v.

WARDEN JOHNSON STATE
PRISON,

Respondent.

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Case No. CV410-243

REPORT AND RECOMMENDATION

Ralph Edwin Watson is currently confined in Johnson State Prison, in Johnson County, Georgia, which is within the Southern District of Georgia. Doc. 1; 28 U.S.C. § 90(c)(2). He has filed a 28 U.S.C. § 2254 petition attacking a Union County, Georgia (Northern District of Georgia) conviction. *Id.* In such situations, jurisdiction exists concurrently in both the district of confinement and the district in which the conviction under attack was entered. *Wright v. Indiana*, 263 F. App'x 794, 795 (11th Cir. 2008). However, "[t]he most *convenient* forum will often be the district in the state whose conviction is being attacked, and a transfer of the case to that district is permissible, but not

required.” *Id.* (citing *Byrd v. Martin*, 754 F.2d 963, 965 (11th Cir. 1985) (emphasis added)).

Having considered petitioner’s filing, the Court concludes that the Northern District would be the better forum for resolving this matter. Hence, this case should be transferred to the Northern District of Georgia, Gainesville Division, for all further proceedings. *See* 28 U.S.C. § 1404(a) (permitting a district court to transfer any civil action to another district or division where it may have been brought for the convenience of parties and witnesses and in the interest of justice); 28 U.S.C. § 90(a)(1).

SO REPORTED AND RECOMMENDED this 21st day of October, 2010.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT of GEORGIA